	GENERAL ORDER **DURHAM POLICE DEPARTMENT** **DURHAM, NC**	**NUMBER:** **4089 R-1**

LICENSE PLATE READERS

Effective Date: 04/02/2025	Revision Dates: **R-1 10/15/2025**

INTRODUCTION

This general order establishes policies, procedures, and guidelines for the usage of Automatic License Plate Readers (ALPR), as well as data access, security, storage/retention and sharing, training, supervisory oversight, auditing, and reporting requirements regarding system use and effectiveness.

It is the policy of the Durham Police Department to utilize technology in the furtherance of law enforcement efforts to locate and apprehend criminal violators. A fundamental element of policing is locating stolen vehicles or vehicles involved in other criminal acts such as child abduction, homicides, and aggravated assaults. ALPRs play an increasingly important role in public safety by assisting with the location of wanted vehicles and subjects while enhancing productivity, effectiveness, and officer safety. The ALPR can also be used for non-criminal law enforcement purposes, such as locating missing or endangered persons. ALPRs recognize, read, and compare motor vehicle license plates against various police databases much more efficiently than officers manually scanning and making comparisons while on patrol.

DEFINITIONS

- ***Automated License Plate Reader System (ALPR)***- A system of one or more mobile or fixed automated high-speed cameras used in combination with computer algorithms to convert images of license plates into computer-readable data.

- ***Scan File***—ALPR-generated data, including GPS coordinates, the date and time of a license plate reading, and any digital photographic images of the license plate and vehicle generated entirely through the use of and by the ALPR equipment.

- ***Hot List*** - A listing of license plates derived from different law enforcement sources and/or manual entry such as stolen plates, plates on stolen/wanted vehicles, missing person alerts, or any other type of law enforcement matters of interest. The Hot List is refreshed with National Crime Information Center (NCIC) data every 24 hours if such updates are available or as soon as practicable after such updates become available by the owners.

- ***Download*** - The transfer of hot list data from NCIC or other law enforcement maintained data sources consisting of license plates and associated data.

- ***Alert (Also known as a "Hit")-*** A positive indication, by visual and/or audible signal, of a potential match between data on the hotlist and a license plate scanned by the ALPR system. An alert or "Hit" is NOT conclusive confirmation that a license plate is wanted, and additional investigation is always warranted when an alert is indicated.

- ***User –*** Any employee accessing data from an ALPR system.

SCOPE OF THE PROGRAM

In addition to operating leased ALPRs, the Durham Police Department has been granted access to databases from ALPR systems that are privately owned and operated. The owners of the ALPR systems secure, store and retain the data collected by these systems.

The ALPR system owners compile data from the license plate readers and compare it against:

- State Bureau of Investigation (SBI) transmission of the NCIC Vehicle File and NCIC License Plate File containing information relating to stolen vehicles, vehicles wanted in conjunction with felonies, and vehicles subject to seizure based on federal court orders.
- SBI transmission of the NCIC Wanted Person File containing vehicle information.
- Agency generated hot list(s) containing license plate numbers not contained in SBI transmitted NCIC files, but which are connected to active criminal or missing persons investigations.

Utilization of ALPR systems shall be in accordance with North Carolina General Statutes Chapter 20-183.30 – 20-183.32A, Article 3D, other applicable state and federal laws, and department policy.

PROGRAM ADMINISTRATION

The Criminal Investigations Division (CID) Commander will designate an officer to serve as the ALPR Administrator for the Department.

The ALPR Administrator is responsible for:

- Determining how the ALPR system will be integrated into the department's investigative functions. They may place additional, more specific restrictions, beyond that outlined in this policy for use of an ALPR system as needed.

- Monitoring the use of ALPR systems to ensure they are being used properly and in accordance with applicable laws, department policies and applicable memoranda of understandings with other agencies.

- Coordinating the training of ALPR system users.

- Establishing and monitoring user access.

- Coordinate with the designated Technology Solutions (TS) personnel to establish criteria for hit alerts automatically disseminated to users in the department.

- Create and provide annual or more frequent audits and reports of ALPR system use and effectiveness to the department head.

USER TRAINING

Prior to use, ALPR users shall receive training on applicable legal and policy requirements and practical operation of the ALPR system. Only employees who have received such training will be authorized to have access to the ALPR equipment. Training shall be provided by the ALPR Administrator, the system owner or existing ALPR users, or other persons/entities authorized to provide training by the ALPR Administrator.

USER RESPONSIBILITIES

The user shall upon receiving an alert/hit use the displayed information to determine the accuracy and nature of the alert. The user will visually verify that the plate read and the actual plate are the same (i.e. correct letters, numbers, state and any other information that can be matched). An alert is not conclusive confirmation that a license plate is wanted. Additional investigation is always warranted when an alert is indicated. Law enforcement personnel MUST verify that the information obtained from the alert is accurate. Once verification has been done, the user shall confirm the status of the alert. The confirmation shall be used as the basis for any further appropriate action.

If a user utilizes information from the ALPR to initiate a law enforcement contact that results in an arrest or seizure, it will be considered successful use of the system. All successful uses of the system will be reported to the ALPR Administrator as soon as reasonably possible.

DATA SECURITY & ACCESS

Internal access to ALPR data is restricted to designated department personnel for law enforcement or criminal justice purposes.

The ALPR Administrator or the designated Technology Solutions (TS) personnel will determine department personnel authorized to have access to the database as needed for investigative purposes. Upon notification that a user no longer requires access to the system, the ALPR Administrator or designated Technology Solutions (TS) personnel will remove that user's access.

Access to the ALPR systems are achieved through individualized login to the owners' web-based servers. Once logged in, users will be able to receive hotlist alerts within the system and can view and search data.

The ALPR system owners are Criminal Justice Information Services (CJIS) compliant. All logins and queries will be stored and monitored including:

1. Username
2. Date
3. Time
4. Purpose of query
5. License plate and/or other elements used to query the system

These data points will be stored in the owners' ("custodians") systems, and periodic audits will be conducted by the ALPR Administrator to ensure access was made by authorized persons for legitimate purposes.

ALPR data is considered a record of a criminal investigation and is confidential and not public record (N.C.G.S. § 132-1.4). Data shall not be disclosed outside of the Durham Police Department except for law enforcement or criminal justice purposes pursuant to a written request from another law enforcement agency. Written requests may be in electronic form. Requests may be denied by the ALPR Administrator or the CID Commander if it is determined that disclosure to the requesting agency may compromise an ongoing investigation.

For agencies that are not part of the ALPR system owners' network, the request must indicate the agency's incident number and why the agency is requesting the ALPR data, i.e., missing person, wanted subject, stolen vehicle, etc. The ALPR Administrator or the CID Commander is authorized to release the requested information after reviewing and approving the request. The search for this information will use the requesting agency's name in abbreviated form and their incident number as the search reason. The written request, along with the approval or denial, will then be forwarded to the ALPR Administrator for filing.

All requests or invitations to access data from private ALPR systems (i.e., Homeowners Associations, community watch groups or private businesses) or other law enforcement agencies shall be forwarded to the ALPR Administrator for approval.

Any requests by Durham Police Department personnel for access to or preservation of data from ALPR systems operated by other State or local law enforcement agencies in North Carolina shall comply with the requirements in N.C.G.S. § 20-183.32. Obtaining, accessing or disclosing ALPR data for any purpose or by any means not authorized by this policy, or as otherwise required by law, is strictly prohibited.

ALPR data will not be:

1. Sold, published, exchanged, or disclosed for commercial purposes.
2. Disclosed or published without authorization.
3. Disseminated to persons not authorized to access or use the information.
4. Used as the primary evidence to enforce a traffic violation, though it may be used to locate vehicles involved in a traffic violation, such as a Hit and Run.

DATA STORAGE & RETENTION

The Durham Police Department does not maintain or store any ALPR data. The ALPR system owners are the custodians of their systems' data. As custodians, the ALPR system owners store the data (data hosting) and ensure proper maintenance and security of data in their cloud-based systems. The custodians also oversee purging data at the end of a 30-day storage period. The department is responsible for extracting, downloading, and archiving footage on its own storage devices for administrative, law enforcement and criminal justice purposes. Data shall not be preserved for more than 90 days after the date the data is captured unless a preservation request or search warrant as prescribed under N.C.G.S. § 20-183.32 has been issued. After one year from the date of the initial preservation request, the captured plate data obtained by an automatic license plate reader system shall be destroyed according to the custodian's data retention policies, unless the custodian receives within that period another preservation request under this subsection, in which case the retention period established under this subsection shall reset.

EVALUATION & REVIEW

The ALPR Administrator will conduct an annual or more frequent audit of the ALPR system. The audit will include:

- Documented review of user access records. Inactive users will be evaluated and access will be discontinued if it is no longer needed.

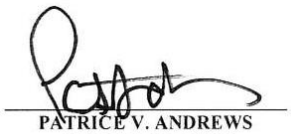
- Documented review of successful uses of the system. Documented verification that information is current.

- Documentation of any training conducted during the audit time period.

Once completed, the audit will be forwarded to the Chief of Police through the Chain of Command. The ALPR Administrator will maintain a copy of each audit for a minimum of three years.

MAINTENANCE

Software maintenance and calibration is conducted during system updates. System hardware does not require preventative maintenance or calibration. If a user encounters a malfunction of either the system hardware or software, the problem will be reported in writing to the ALPR Administrator without delay. Upon notification, the ALPR Administrator will contact the ALPR system owner and schedule appropriate repairs. If the repairs require the system to be taken out of service, authorized users will be notified of both the removal from and return to service. Maintenance and calibration records will be maintained for the life of the system.



PATRICE V. ANDREWS
CHIEF OF POLICE